

STATE OF MICHIGAN



WILLIAM G. MILLIKEN, Governor

DEPARTMENT OF NATURAL RESOURCES

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LANSING, MI 48909
HOWARD A. TANNER, Director

US EPA RECORDS CENTER REGION 5



482101

NATURAL RESOURCES COMMISSION

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April 17, 1981

Mr. Joseph Polito
Honigman, Miller, Schwartz & Cohn
2290 First National Building
Detroit, MI 48226

Dear Mr. Polito:

The Michigan Department of Natural Resources (MDNR), in reviewing the proposed Hazardous Waste Removal and Disposal Agreement received on April 13, 1981 for the KOI Petroleum site cleanup on Lycaste and Freud, agrees that it is in accordance with applicable regulations and statutes under MDNR's jurisdiction with the following conditions. The treatment of the wastewater at this facility as proposed by Chemical and Environmental Engineering, Inc., will be acceptable as long as the applicable rules and regulations concerning the treatment and discharge of the effluent are met. The Office of Hazardous Waste Management requires that we receive written acknowledgement from the City of Detroit that they are aware of the intent and scope of this proposal. The MDNR stipulates that the proposed use of the storage facility on Lycaste and Freud by Nortru, Inc. for short term storage of reclaimable liquid waste is acceptable so long as Nortru complies with all applicable local, state and federal regulations and statutes.

Regarding your questions concerning possible permit requirements pursuant to 1978 PA 641, the MDNR has determined that a permit and license under this Act is not necessary. Section 7(1) of Act 641 exempts "liquid or other waste regulated by statute", and since on page 5 of the Agreement, Carter is to acknowledge the sludges be classified as "hazardous waste", regulated under the Michigan Hazardous Waste Management Act (1979 PA 64), they are not regulated by Act 641. Of course, the rules of Act 64 go into effect on April 17, 1981, and accordingly, both Carter and Nortru must comply with all regulations imposed by those rules.

I hope this letter addresses your questions and concerns relative to your cover letter dated April 10, 1981. Please do not hesitate to contact me at 517/373-2794 if you have any further questions regarding this matter.

Very truly yours,

WATER QUALITY DIVISION

DS:ma

cc: P. Ollila
R. Waybrant, Office of
Hazardous Waste Manage.
File
D. Schultz
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Daniel Schultz
Water Quality Specialist
Oil & Hazardous Materials Control